

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	MISCELLANEOUS BUSINESS
WILLIAM J. MURRAY,)	DOCKET
)	
<i>Plaintiff,</i>)	
)	
)	(Related to Cause
)	No. 3:03 CV-088P, U.S. District
)	Court, Northern District of
)	Texas, Dallas Division)
TXU CORP. et al.,)	
)	
<i>Defendants.</i>)	
_____)	Civil Action No.

AFFIDAVIT OF TAMMY L. LAPORTE

I, Tammy L. LaPorte, testify and declare the following under penalty of perjury:

1. My name is Tammy L. LaPorte. I am over the age of twenty-one, am competent to testify as a witness, and have personal knowledge of the facts set forth in this Affidavit.

2. I am the Office Manager of American National Power, Inc. ("ANP"). Since June 16, 2003, ANP's office has been located at 62 Forest Street, Suite 102, Marlborough, Massachusetts 01752. As Office Manager, I am responsible for handling incoming telephone calls, and for assisting visitors to the ANP office.

3. The ANP office is designed as an open plan. My desk is located approximately seventeen feet from the front entrance to the office. In addition, my office is directly in front of a large, twelve-foot wide glass window located at the front entrance. Accordingly, my desk is clearly visible to any visitors who arrive at the ANP office.

4. My work schedule during the period September 15, 2003 through December 31, 2003 provided that I was present at ANP's office on Mondays and Tuesdays, and Thursdays and

Fridays. On Wednesdays, when I was not at the office, office tasks are shared amongst available employees.

5. When visitors arrive at the ANP office, a telephone at the front entrance with a directory of all employees is available for them to summon me, anyone else filling in for me, or any employee located at the ANP office. When visitors arrive at the ANP office to deliver a subpoena or other legal document, it is my practice to direct them to ANP's in-house legal counsel.

6. Between December 8, 2003, and January 13, 2004, the ANP office was open on all business days, i.e., Mondays through Fridays, with the exception of December 24 and 25, 2004, and January 1, 2004. Other than Wednesdays, I worked all business days that the ANP office was open during this period, with the exception of December 29, 2003 and January 12 and 13, 2004.

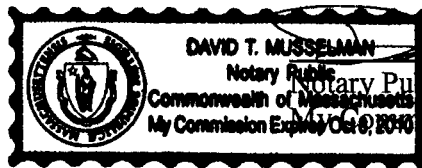
7. Between December 8, 2003, and January 13, 2004, on no occasion when I was on duty at my desk did anyone arrive at the ANP office to serve or attempt to serve a subpoena. In addition, I have made inquiries of those persons who typically provide cover for me at times when I am not on duty, and they advised that they did not know of any service or attempted service of a subpoena by any person at ANP's office during this time period.

SIGNATURE PAGE FOLLOWS

Tammy LaPorte
Tammy L. LaPorte

COMMONWEALTH OF MASSACHUSETTS
COUNTY OF MIDDLESEX

Sworn to before me this 8th day of April, 2004.



[Signature]
Commission Expires: 10/8/2010